

**EXPRESS MAIL RECEIPT NO. EV336512177US  
DEPOSITED ON: July 10, 2003**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re application of: Donald E. Weder      Dkt. No.: 8403.916**  
**Application No.: Not Yet Assigned      Art Unit: Unknown**  
**Filed: Herewith      Examiner: Unknown**

**For: PLANT PACKAGE WITH FLORAL WRAPPER  
WITH DECORATIVE PORTION**

**Mail Stop PATENT APPLICATION  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**INFORMATION DISCLOSURE STATEMENT**

**List of Sections Forming Part of This  
Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1.    ☒ Preliminary Statements
2.    ☒ Form PTO-1449 (Modified)
3.    ☒ Statements as to Information Not Found in Patents or Publications (Information not listed in PTO 1449 (Modified))
4.    ☒ Identification of Prior Application In Which Listed Information Was Already Cited and for Which No Copies Are Submitted Or Need to Be Submitted
5.    ☒ Copies of Listed Information Items Accompanying this Statement.

6. ☒ Identification of Person(s) Making this Information Disclosure Statement

### **Section 1. Preliminary Statements**

Applicant submits herewith patents, publications or other information of which he is aware, which he believes may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

### **Section 2. Form PTO-1449 (Modified)**

☒ A completed Form 1449 (Modified) is attached hereto.

☐ No Form 1449 (Modified) is attached.

### **Section 3. Statements as to Information Not Found in Patents or Publications (Information not listed in PTO 1449 (Modified))**

It is old in the art to form a sheet of material about a flower pot or floral grouping and then place an elastic band around the sheet of material to hold the sheet in place about the flower pot or floral grouping. In some instances, the band has been positioned about the outer surface of the pot with the sheet of material positioned between the band and the flower pot. In some instances, the band has been positioned above the upper end of the pot thereby causing a portion of the sheet of material to be forced inwardly over the upper end of the pot. It is also known to put potted plants in grocery bags.

It is also old in the art to form a sheet of material into a conically shaped tube like member referred to commonly in the art as a sleeve. A floral grouping

or flower pot with flowers therein can be disposed through the larger open end of the sleeve, wherein the sleeve covers the floral grouping or the flower pot and extends above and around the flowers in the floral grouping or flower pot.

It is also old in the art that cut flowers have been wrapped with the following materials or combinations of materials:

1. Kraft paper plus waxed or unwaxed tissue paper with the flowers being placed next to the waxed paper or tissue paper.
2. Kraft paper plus newspaper plus waxed or unwaxed tissue with the flowers being placed next to the waxed or unwaxed tissue. These three materials have been used to wrap flowers in various combinations such as Kraft paper plus newspaper or Kraft paper plus waxed or unwaxed tissue paper or newspaper plus waxed or unwaxed tissue paper.
3. Waxed or unwaxed tissue paper, polymer films and Kraft paper (treated for water resistance or wet strength or untreated).
4. Polymer film and waxed tissue paper.

**Section 4. Identification of Prior Application In Which Listed Information Was Already Cited and for Which No Copies Are Submitted Or Need Be Submitted**

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. 10/446,498, filed on May 27, 2003 (date).

*(complete the following, if applicable)*

- [ ] This application also relies, under 35 U.S.C. 120, on the earlier filing date of prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_ (date).

**Section 5. Copies of Listed Information Items Accompanying this Statement**

- [x] Legible copies of all items listed in Form PTO-1449 (Modified) accompany this information disclosure statement.

☐ Exception(s) to above:

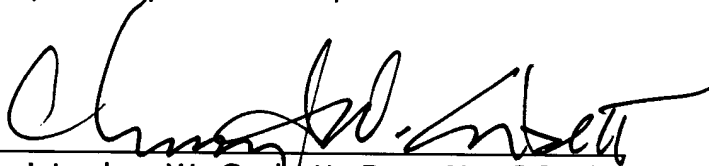
☐ Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 4.

**Section 6. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT**

The person making this statement is the attorney who signs below on the basis of the information:

- ☐ supplied by the inventor(s)
- ☐ supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- ☒ in the attorney's file

Respectfully submitted,



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Agent for Applicant

**FORM PTO-1449**

(Fill-A-Form 7.92)

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT***(Use several sheets if necessary)*

Attorney's Docket Number

**8403.916**

Serial Number

**Not Yet Assigned**Applicant **D nald E. Weder**Filing Date **Herewith**

Group

**U. S. PATENT DOCUMENTS**

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA		5	2	4	2	1	9	08/07/1894	Schmidt			
	AB		7	3	2	8	8	9	07/07/1903	Paver			
	AC		9	5	0	7	8	5	03/01/1910	Pene			
	AD	1	0	4	4	2	6	0	11/12/1912	Schloss			
	AE	1	0	6	3	1	5	4	05/27/1913	Bergen			
	AF	1	4	4	6	5	6	3	02/27/1923	Hughes			
	AG	1	5	2	0	6	4	7	12/23/1924	Hennigan			
	AH	1	5	2	5	0	1	5	02/03/1925	Weeks			
	AI	1	6	1	0	6	5	2	12/14/1926	Bouchard			
	AJ	1	6	9	7	7	5	1	01/01/1929	Blake	229	87	
	AK	1	7	9	4	2	1	2	01/18/1929	Snyder			
	AL	2	2	0	0	1	1	1	05/07/1940	Bensel	229	1.5	
	AM	2	2	7	8	6	7	3	04/07/1942	Savada et al.	154	43	
	AN	2	3	0	2	2	5	9	11/17/1942	Rothfuss	41	10	
	AO	2	3	5	5	5	5	9	08/08/1944	Renner	229	8	
	AP	2	3	7	1	9	8	5	03/20/1945	Freiberg	206	46	
	AQ	2	5	1	0	1	2	0	06/06/1950	Leander	117	122	
	AR	2	5	2	9	0	6	0	11/07/1950	Trillich	117	68.5	
	AS	2	6	2	1	1	4	2	12/09/1952	Wetherell	154	117	
	AT	2	8	4	6	0	6	0	08/05/1958	Yount	206	58	
	AU	2	9	8	9	8	2	8	06/27/1961	Warp	53	390	
	AV	3	2	9	3	1	0	0	08/27/1963	Questel	156	314	
	AW	3	2	7	1	9	2	2	09/13/1966	Wallerstein et al.	53	3	

## U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BA	3	3	1	6	6	7	5	05/02/1967	Cartwright, Jr.			
	BB	3	3	2	2	3	2	5	05/30/1967	Bush	229	62	
	BC	3	3	7	6	6	6	6	04/09/1968	Leonard	47	41	
	BD	3	5	0	8	3	7	2	04/28/1970	Wallerstein et al.	53	3	
	BE	3	9	6	2	5	0	3	06/08/1976	Crawford	428	40	
	BF	4	0	4	3	0	7	7	08/23/1977	Stonehocker	47	66	
	BG	4	1	8	9	8	6	8	02/26/1980	Tymchuck et al.	47	84	
	BH	4	2	1	6	6	2	0	08/12/1980	Weder et al.	47	72	
	BI	4	2	9	7	8	1	1	11/03/1981	Weder	47	72	
	BJ	4	3	3	3	2	6	7	06/08/1982	Witte	47	84	
	BK	4	4	1	3	7	2	5	11/08/1983	Bruno et al.	206	45.33	
	BL	D	2	7	9	2	7	9	06/18/1985	Wagner	D11	143	
	BM	4	6	2	1	7	3	3	11/11/1986	Harris	206	423	
	BN	4	6	4	0	0	7	9	02/03/1987	Stuck	53	390	
	BO	4	7	3	3	5	2	1	03/29/1988	Weder et al.	53	580	
	BP	4	7	7	3	1	8	2	09/27/1988	Weder et al.	47	72	
	BQ	4	8	0	1	0	1	4	01/31/1989	Meadows	206	423	
	BR	4	8	3	5	8	3	4	06/06/1989	Weder	29	525	
	BS	4	9	8	0	2	0	9	12/25/1990	Hill	428	34.1	
	BT	4	9	8	9	3	9	6	02/05/1991	Weder et al.	53	397	
	BU	5	0	0	7	2	2	9	04/16/1991	Weder et al.	53	397	
	BV	5	0	7	3	1	6	1	12/17/1991	Weder et al.	493	154	
	BW	5	0	7	6	0	1	1	11/1991	Stehouwer	47	72	
	BX	5	1	0	5	5	9	9	04/21/1992	Weder	53	399	
	BY	5	1	1	1	6	3	8	05/12/1992	Weder	53	397	
	BZ	5	1	2	0	3	8	2	06/09/1992	Weder	156	212	
	BZA	5	1	5	2	1	0	0	10/06/1992	Weder et al.	47	72	

## U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CA	5	1	8	1	3	6	4	01/26/1993	Weder	53	397	
	CB	5	1	9	9	2	4	2	04/06/1993	Weder et al.	53	397	
	CC	5	2	0	5	1	0	8	04/27/1993	Weder et al.	53	397	
	CD	5	2	2	8	2	3	4	07/20/1993	de Klerk et al.	47	41.01	
	CE	5	2	3	5	7	8	2	08/17/1993	Landau	47	72	
	CF	5	2	3	9	7	7	5	08/31/1993	Landau	47	72	
	CG	5	3	0	7	6	0	6	05/03/1994	Weder	53	410	
	CH	5	3	1	5	7	8	5	05/31/1994	Avôt et al.	47	72	
	CI	5	3	5	3	5	7	5	10/11/1994	Stepanek	53	461	
	CJ	5	3	6	1	4	8	2	11/08/1994	Weder et al.	29	469	
	CK	5	3	8	8	6	9	5	02/14/1995	Gilbert	206	423	
	CL	5	4	2	8	9	3	9	04/04/1995	Weder et al.	53	397	
	CM	5	4	4	3	6	7	0	08/22/1995	Landau	156	191	
	CN	5	4	9	3	8	0	9	02/27/1996	Weder et al.	47	72	
	CO	5	4	9	6	2	5	1	03/05/1996	Cheng	493	224	
	CP	5	4	9	6	2	5	2	03/05/1996	Gilbert	493	224	
	CQ	D	3	6	8	0	2	5	03/19/1996	Sekerak et al.	D9	305	
	CR	5	5	5	1	5	7	0	09/03/2001	Shaffer et al.	206	575	
	CS	5	5	7	2	8	4	9	11/12/1996	Weder et al.	53	399	
	CT	5	5	7	2	8	5	1	11/12/1996	Weder	53	399	
	CU	5	5	9	6	8	6	2	01/28/1997	Weder	53	397	
	CV	5	6	3	6	4	9	3	06/10/1997	Weder	53	397	
	CW	5	6	4	7	1	6	8	07/15/1997	Gilbert	47	72	
	CX	5	6	4	7	1	9	3	07/15/1997	Weder et al.	53	465	
	CY	5	6	5	3	0	8	9	08/05/1997	Weder	53	397	
	CZ	5	7	1	5	9	4	4	02/10/1998	Windisch	206	423	
		5	7	4	0	6	5	5	04/21/1998	Weder	53	397	
	CZA	5	7	8	2	0	5	7	07/21/1998	Weder	53	397	

## U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CZB	5	8	1	6	0	2	1	10/06/1998	Weder	53	397	
	DA	D	4	0	4	6	8	4	01/26/1999	Shea	D11	164	
	DB	5	9	2	4	2	4	1	07/1999	Hodge	47	72	
	DC	5	9	6	6	8	6	6	10/1999	Ferguson	47	41.01	
	DD	5	9	7	4	7	3	0	11/02/1999	Chien	47	41.01	
		6	0	5	2	9	6	8	04/25/2000	Weder	53	397	
	DE	6	0	9	8	3	3	6	08/08/2000	Ferguson	206	423	
	DF	6	1	2	9	2	0	8	10/10/2000	Ferguson	206	423	
	DG	6	1	8	2	3	9	5	02/2001	Weder	47	72	

## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAM INIT.		DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	Translation	
													YES	NO
	DH	4	2	3	1	9	7	8	06/21/1979	Australia				
	DI		6	5	4	4	2	7	01/02/1965	Belgium			X	
	DJ	0	0	5	0	9	9	0	05/05/1982	EPO			X	
	DK	2	1	3	7	3	2	5	12/29/1972	France			X	
	DL	2	5	6	7	0	6	8	07/05/1984	France			X	
	DM	2	6	1	9	6	9	8	03/1989	France			X	
	DN			1	5	5	5	0	06/02/1900	Germany			X	
	DO		5	1	3	9	7	1	11/27/1930	Germany			X	
	DP	1	1	6	6	6	9	2	03/26/1964	Germany			X	
	DQ	3	9	1	1	8	4	7	10/25/1990	Germany			X	
	DR		2	2	4	5	0	7	04/30/1996	Italy			X	
	DS		5	4	2	9	5	8	02/23/1993	Japan			X	
	DT	8	-	1	9	3	3	4	01/23/1996	Japan			X	
	DU		5	6	0	5	3	2	04/15/1975	Switzerland			X	
	DV	2	0	5	6	4	1	0	03/18/1981	United Kingdom				



FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION														
EXAM INIT.		DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	Translation	
		YES	NO											
	DW	2	0	7	4	5	4	2	11/04/1981	United Kingdom				
	DX	2	1	2	8	0	8	3	04/26/1984	United Kingdom				
	DY	2	2	1	2	1	3	6	07/19/1989	United Kingdom				
	DZ	2	2	5	2	7	0	8	08/19/1992	United Kingdom				

EXAM INIT.		OTHER MATERIALS
		(Including, Author, Title, Date, Relevant Pages, Place of Publication.**)
	EA	Speed Cover Brochure, "The Simple Solution For Those Peak Volume Periods", Highland Supply Corporation, ©1989.
	EB	"Speed Sheets and Speed Rolls" Brochure, Highland Supply Corporation, ©1990.
	EC	"A World of Cut Flower and Pot Plant Packaging" Brochure, Klerk's Plastic Products Manufacturing, Inc., published prior to March 31, 1994, 6 pages.
	ED	Chantler & Chantler brochure showing Zipper Sleeve™ and Florasheet®, published prior to March 31, 1994, 2 pages.
	EE	"Silver Linings" Brochure, Affinity Diversified Industries, Inc., 1986. The Silver Linings brochure shows a floral sleeve with a closed bottom. The brochure shows, in one embodiment, a vase with flowers inside a "cut flower" sleeve with the sleeve tied with a ribbon about the neck of the vase.
	EF	"Creative Packaging" Brochure, John Henry Company, Sept. 1992.
	EG	"Make Highlander Your Headquarters" Brochure, Highland Supply Corporation, 1991.
	EH	"Lace Bouquet Plastifoil" (Photo-Upper Surface) For sale at least since 1990. The photo shows a sheet of foil completely laminated to a larger film sheet having a lace pattern printed thereon; see U.S. Patent 4,216,620, Figure 7.
	EI	"Lace Bouquet Plastifoil" (Photo-Lower Surface) For sale at least since 1990. The photo shows a sheet of foil completely laminated to a larger film sheet having a lace pattern printed thereon; see U.S. Patent 4,216,620, Figure 7.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance and not considered. Include copy of this form with next communication to applicant. \*\*Place of Publication refers to name of publication in which the information was published.